

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

NORMA ROGERS, ET AL.,)	
)	
Plaintiffs,)	
)	
v.)	No. 6:19-cv-3346 RK
)	
DOUGLAS GASTON, ET AL.,)	
)	
Defendants.)	

**Consent Motion to Drop Robert Duncan as Defendant
for Counts III and IV of Third Amended Complaint**

Pursuant to Federal Rule of Civil Procedure 21, Plaintiffs request this Court enter an order dropping Robert Duncan as a defendant with respect to Counts III and IV of the third amended complaint. In support, they state:

1. On May 4, 2021, Plaintiffs filed their third amended complaint. ECF No. 154.
2. The third amended complaint names Duncan as a defendant for Counts I, II, III, IV, and V of the six-count pleading. *Id.*
3. Duncan has not filed an answer.
4. “On motion or on its own, the court may at any time, on just terms, add or drop a party.” Fed. R. Civ. P. 21.
5. Plaintiffs ask this Court to drop Duncan as a defendant for Counts III and IV and dismiss him from this case with respect to those counts only, such that Duncan will remain a defendant as to Counts I, II, and V.
6. Duncan’s counsel has advised that Plaintiffs may indicate her consent to this request.

WHEREFORE Plaintiffs request this Court enter an order dropping Robert Duncan as a defendant with respect to Counts III and IV only of the third amended complaint.

Respectfully submitted,

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Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that a copy of this motion was served on opposing counsel by the electronic filing system on June 23, 2021.

/s/ Antony E. Rothert